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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/929,854	08/14/2001	Charles H. Ferguson	4887-4006	9851
27123	7590	10/13/2004	EXAMINER	
MORGAN & FINNEGAN, L.L.P. 3 WORLD FINANCIAL CENTER NEW YORK, NY 10281-2101			COURTENAY III, ST JOHN	
			ART UNIT	PAPER NUMBER
			2126	

DATE MAILED: 10/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/929,854

Applicant(s)

FERGUSON ET AL.

Examiner

St. John Courtenay III

Art Unit

2126

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 14 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-198 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☒ Claim(s) 1-198 are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

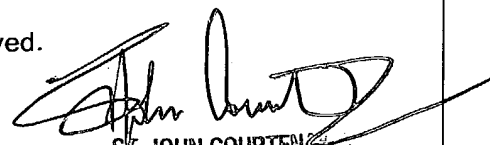
**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

  
ST. JOHN COURTENAY III  
PRIMARY EXAMINER

### **Election/Restrictions**

Claims 1-198 are pending. Applicant's claim for domestic priority is acknowledged (60/217,361, filed July 11, 2000).

Restriction to one of the following inventions is required under 35 U.S.C. 121:

Group 1: Claims 1-7, 40, 41, 55, 56 drawn to DISPLAY PROCESSING, comprising subject matter wherein the document is prepared for visual output, classified in Class 715, subclass 526.

Group 2: Claims 8, 47, 68, 69, 100-107 drawn to HIGH LEVEL APPLICATION CONTROL, comprising means or steps for communication of data, commands, or messages between at least one controlling script, macro or other high level controlling program, and at least one controlled application program, classified in Class 719, subclass 320.

Group 3: Claims 9-31, 51, 52, 61-63 drawn to EDIT, COMPOSITION, OR STORAGE CONTROL, comprising subject matter including means or steps for developing or changing a document wherein one or more elements of a document (i.e., text, graphics, control, or format codes) are added, deleted, or modified, or including means or steps for storing the resultant altered document or the alterations, classified in Class 715, subclass 530.

Group 4: Claims 32-39, 64-66, 76, 77 drawn to ACCESSING A REMOTE SERVER, comprising subject matter wherein data is transferred between a remote file server and a requesting computer, classified in Class 709, subclass 219.

Group 5: Claims 42- 46, 67, 70, 75 drawn to OBJECT ORIENTED DYNAMIC LINKING, LATE BINDING, comprising

subject matter wherein dynamic linking or binding occurs in the context of an object oriented environment, classified in Class 719, subclass 332.

Group 6: Claims 48 – 50 drawn to FORM FILLING, comprising subject matter wherein placing information in the location provided for such information is performed, classified in Class 715, subclass 507.

Group 7: Claims 53, 54, 57-60 drawn to MULTIPLE COMPUTER COMMUNICATION USING CRYPTOGRAPHY, comprising subject matter for cryptographically protecting the transfer of data among a plurality of spatially distributed (i.e., situated at different locations) computers or digital data processing systems via one or more communications media (e.g., computer networks) wherein the computers or digital data processing systems employ the data in data processing before or after the transferring, and wherein the transferring affects the data transfer between the computers, classified in Class 713, subclass 150.

Group 8: Claims 71-74, 78 drawn to SOFTWARE UPGRADING OR UPDATING using a NETWORK, comprising subject matter wherein the upgrading or updating is performed in one or more computer system located within a network of multiple computers, classified in Class 717, subclass 171.

Group 9: Claims 79, 80, 146, 147 drawn to SOFTWARE INSTALLATION, comprising subject matter including means or steps for setting up and preparing an operating system, application program, or other executable program for operation on a computer program, classified in Class 717, subclass 174.

Group 10: Claims 81-83 drawn to MANAGED OBJECT SYSTEM, comprising subject matter including means or steps for managing an object system that may include distributed object systems or distributed object models, classified in Class 719, subclass 316.

Group 11: Claims 84-90, 94, 99 drawn to SOFTWARE INSTALLATION including MULTIPLE FILES, comprising subject matter wherein the installation of software is performed by using software components including multiple files, classified in Class 717, subclass 175.

Group 12: Claim 92 drawn to SOFTWARE INSTALLATION including DOWNLOADING, comprising subject matter wherein the software components are distributed by downloading them to a computer system via network, classified in Class 717, subclass 178.

Group 13: Claims 93, 95 drawn to DIGITAL DATA PROCESSING SYSTEM INITIALIZATION OR CONFIGURATION comprising means or steps for establishing an original operating parameter or data for a computer or digital data processing system, classified in Class 713, subclass 1.

Group 14: Claims 96 - 98, 108 - 112, 117-129, 132-145 drawn to MATCHING APPLICATION PROCESS TO DISPLAYED DATA TYPE, comprising subject matter wherein processes specific to elements of different data formats within a common document are accessed and executed, classified in Class 715, subclass 516.

Group 15: Claims 113-116 drawn to CODE GENERATION comprising means or steps for facilitating creation of a list of human-readable instruction data in a programming language, classified in Class 717, subclass 106.

Group 16: Claims 130, 131 drawn to a SOFTWARE PROGRAM DEVELOPMENT TOOL comprising means or steps for operating on a computer or digital data processing system which enables a user to create and manage computer program code, classified in Class 717, subclass 100.

Group 17: Claims 91, 148-156 drawn to COMPUTER-TO-COMPUTER SESSION/CONNECTION ESTABLISHING comprising means or steps for creating a session connection between the computers, classified in Class 709, subclass 227.

Group 18: Claims 157-198 drawn to a COMPOUND DOCUMENT comprising subject matter wherein the document includes elements having different data types, classified in Class 715, subclass 515.

The inventions are distinct, each from the other because of the following reasons:

Inventions 1 – 18 are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, each invention (1-18) has a separate utility, as detailed above. See M.P.E.P. § 806.05(d).

Application/Control Number:  
09/929,854  
Art Unit: 2126

Page 6

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

#### Joint Inventors

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 C.F.R. § 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a diligently-filed petition under 37 C.F.R. § 1.48(b) and by the fee required under 37 C.F.R. § 1.17(h).

Application/Control Number:  
09/929,854  
Art Unit: 2126

Page 7

**How to Contact the Examiner:**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to St. John Courtenay III, J.D., M.B.A., whose telephone number is 703-308-5217. A voice mail service is also available at this number. The Examiner can normally be reached on Monday - Friday, 8:30 AM - 5:00 PM. After Oct. 25, 2004, the Examiner's telephone number at the new Alexandria PTO location will be 571-272-3761.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, An Meng-AI who can be reached on 703-305-9678. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**All responses sent by U.S. Mail should be mailed to:**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

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**Patent Customers advised to FAX communications to the USPTO**

<http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/faxnotice.pdf>

Effective Oct. 15, 2003, ALL patent application correspondence transmitted by FAX must be directed to the new PTO central FAX number:



Application/Control Number:  
09/929,854  
Art Unit: 2126

Page 8

**NEW PTO CENTRAL FAX NUMBER:  
703-872-9306**

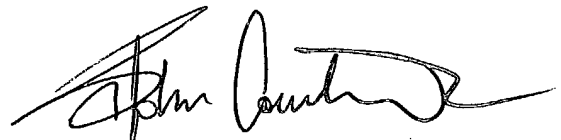
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- Any inquiry of a general nature or relating to the status of this application should be directed to the **TC 2100 Group receptionist: (703) 305-3900.**

**Please direct inquiries regarding fees, paper matching, and other issues not involving the Examiner to:**

**Technical Center 2100 CUSTOMER SERVICE: 703 306-5631**

The Manual of Patent Examining Procedure (MPEP) is available online at:  
<http://www.uspto.gov/web/offices/pac/mpep/index.html>



**ST. JOHN COURTENAY III  
PRIMARY EXAMINER**